

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 2/6/2024

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

DAVID STONE,

Judgment Debtor,

and

TD AMERITRADE, INC.,

Third-Party Respondent.

22 CR 510 (MKV)

TURNOVER ORDER

WHEREAS the Court entered judgment against David Stone on February 14, 2023 and ordered him to pay a \$100 special assessment, \$20,000 fine, \$344,000 in restitution, and a \$2,883,800 forfeiture money judgment;

WHEREAS Stone has paid the \$100 special assessment and made nominal payments totaling \$246 toward restitution, and nothing on the fine, the outstanding balance on the unpaid fine and restitution is \$383,488.19, including interest accrued at the rate of 4.15% as of February 1, 2024;

WHEREAS, pursuant to 18 U.S.C. § 3613, upon entry of judgment, a lien arose on all of Stone's property and rights to property notwithstanding any other federal law, and the United States may use any federal or state procedure to enforce the judgment;

WHEREAS, pursuant to Federal Rule of Civil Procedure 69(a)(1) and N.Y. CPLR § 5222, the United States issued and served a restraining notice on TD Ameritrade, Inc. for substantial nonexempt property belonging or due to Stone;

WHEREAS TD Ameritrade answered that it holds approximately \$915,463, subject to market fluctuation, in an individual brokerage account number ending in 6617, a rollover IRA ending in 4280, and a Roth IRA ending in 2762 belonging to Stone;

WHEREAS the United States served Stone with the restraining notice and its motion for a turnover order, including the exclusive and limited exemptions available to criminal judgment debtors under 18 U.S.C. § 3613(a);

WHEREAS counsel for Stone has confirmed that he has no objection to turnover of the restrained funds to satisfy Stone's fine and restitution obligations;

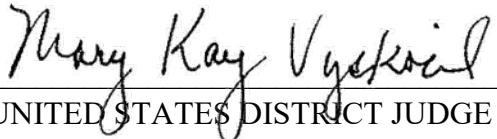
WHEREAS Stone has a substantial nonexempt interest in the funds held by TD Ameritrade, to which the criminal judgment lien has attached, and therefore these funds are subject to turnover;

IT IS HEREBY ORDERED that TD Ameritrade, Inc. shall liquidate securities as needed to pay to the Clerk of Court the sum of \$383,488.19 in satisfaction of Stone's fine and restitution. Payment should be made by cashier's check or certified funds to "Clerk of Court" with "No. 22 CR 510" written on the face of the payment and mailed to:

United States District Court
500 Pearl Street, Room 120
New York, New York 10007
Attn: Cashier

The only criminal monetary impositions resolved by this Turnover Order are the fine and restitution order. TD Ameritrade, Inc. shall continue to hold the remaining funds due or owing to Stone until further order regarding the forfeiture money judgment.

Dated: New York, New York
February 6, 2024


UNITED STATES DISTRICT JUDGE